

Message Text

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IO/CMD-MR WOODBURY

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FM SECSTATE WASHDC

TO ALL DIPLOMATIC POSTS PRIORITY

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FOLLOWING REPEAT USUN 5450 ACTION SECSTATE INFO EC BRUSSELS
GENEVA MTN GENEVA OECD PARIS BRASILIA BUENOS AIRES CAIRO
CARACAS BONN ISLAMABAD JIDDA LAGOS LA PAZ LONDON MEXICO
NEW DELHI PARIS QUITO ROME SAN JOSE TEHRAN DTD 30 OCT

QTE

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E.O. 11652: N/A

TAGS: UNGA, EGEN

SUBJECT: 30TH UNGA--ITEM 12, TRANSNATIONAL CORPORATIONS

REF: STATE 252910

1. MISSION OFFICER MET WITH IRANIAN REP ON OCT 29 TO DISCUSS
PROPOSED DRAFT RES ON THIS SUBJECT CONTAINED L.1437. DISCUSSION
WAS GENERAL AND DID NOT INVOLVE LINE-BY-LINE NEGOTIATIONS. HOWEVER,
PER INSTRUCTIONS REFTEL MISOFF MADE FOLLOWING POINTS:

A. THE IMPORTANCE WE ATTACH TO BALANCING REFERENCES TO
TRANSNATIONAL AND OTHER CORPORATIONS WITH REFERENCES TO PARTIES
SOLICITING BRIBES OR ENCOURAGING CORRUPT ACTS;

B. OUR GRAVE CONCERNS ABOUT EXTRA-TERRITORIAL IMPLICATIONS
OF OP PARAS 2 AND 5 OF THEIR DRAFT;

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C. THE PROBLEMS RAISED BY THE REFERENCE TO "NATIONAL LAWS

AND REGULATIONS" I OP PARA 2 AND THE USE OF "REAFFIRMING" WITH REFERENCE TO CERDS. IRANIAN REP SAID THAT THE ABOVE WERE PERHAPS NEGOTIABLE BUT THAT HE WOULD HAVE TO CONSULT WITH THE OTHER CO-SPONSORS OF HIS RES. WE WILL BE GIVING HIM A MARKED UP COPY OF THEIR RES REFLECTING ALL OF THE ABOVE CHANGES.

2. WE HAVE ALSO INFORMALLY CONSULTED WITH EC-9 AND JAPAN. IN GENERAL THEY SHARE OUR CONCERNS THOUGH SEVERAL ARE AWAITING DETAILED INSTRUCTIONS FROM THEIR HOME OFFICES. AT THE CONCLUSION OF THE MEETING WITH THE IRANIAN REP, WE SUGGESTED THAT IT WOULD BE APPROPRIATE TO HAVE INFORMAL CONSULTATIONS BETWEEN THE SPONSORS OF THE RES AND ALL OTHER INTERESTED DELS (I.E. OTHER WEO'S, IN PWRTICULAR). HE SEEMED RESPONSIVE TO THIS SUGGESTION.

3. IN ADDITION TO THE ABOVE, WE HAVE DISCUSSED THE PROBLEM OF EXTRA-TERRITORIALITY WITH THE PAKISTANI REP WHO STATED THAT HE ALSO WAS CONCERNED ABOUT THIS ARTICLE. HE SAID THAT THE ISSUE HAD BEEN DISCUSSED IN A MEETING OF THE COSPONSORS, SEVERAL DELS HAD EXPRESSED RESERVATIONS ABOUT THE WORDING OF THE ARTICLE, AND HE WAS SURE THAT IT WOULD BE REVISED TO THE SATISFACTION OF ALL.

4. WE ARE CONTINUING-OUR BILATERAL CONSULTATIONS AND WILL REPORT RESULTS.
MOYNIHAN UNQTE KISSINGER

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